

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Carrie Teager,

and

Mary Teager,

and

Rachel Johnson,

Plaintiffs,

v.

Audubon Financial Bureau, LLC
adba AFB & Associates
adba Audubon Financial Group
c/o Zdarsky, Sawicki & Agostinelli, LLP
404 Cathedral Place
Buffalo, NY 14202

and

Adam D. March
5145 Kraus Road
Clarence, NY 14031

Defendants.

Case No.

COMPLAINT

Jury Demand Requested

Now comes Plaintiff, by and through her attorneys, and, for her Complaint, alleges as follows:

JURISDICTION AND VENUE

- 1- This court has jurisdiction pursuant to 28 U.S.C. §§1331, 1337, 1367; and 15 U.S.C. §1692k(d).
- 2- Venue is proper because a substantial part of the events giving rise to this claim occurred in this District.

PARTIES

- 3- Plaintiffs incurred an obligation to pay money, the primary purpose of which was for personal, family, or household uses (the "Debt").
- 4- Plaintiffs are residents of the State of the Illinois.
- 5- Defendant Audubon Financial Bureau, LLC ("Audubon") is a Delaware corporation with its principal office in the State of New York.
- 6- Upon information and belief, Defendant Adam D. March ("March") is the manager, operator, supervisor, and/or owner of Audubon Financial Bureau, LLC.
- 7- Unless specifically stated otherwise, the term "Defendant" as used herein shall refer to Defendants Audubon and March, collectively.
- 8- Defendant uses instruments of interstate commerce for its principal purpose of business, which is the collection of debts.
- 9- Defendant regularly attempts to collect, or attempts to collect, debts owed or due another.
- 10- At all times relevant, Defendant owned the Debt or was retained to collect the Debt.

FACTS COMMON TO ALL COUNTS

- 11- In February 22, 2013, Defendant telephoned Plaintiffs home and left a voicemail.
- 12- During this communication, Defendant failed to disclose that it was a debt collector.
- 13- During this communication, Defendant falsely implied/threatened to file a lawsuit for the Debt in Illinois unless Plaintiffs contacted Defendant.
- 14- Defendant damaged Plaintiff.
- 15- Defendant violated the FDCPA.

COUNT I

- 16- Plaintiffs incorporate all the allegations and statements made above as if reiterated herein.

17- Defendant violated 15 USC §1692e(10) by using false representation or deceptive means to collect a debt.

COUNT II

18- Plaintiffs incorporate all the allegations and statements made above as if reiterated herein.

19- Defendant violated 15 USC § 1692f by engaging in unfair and/or unconscionable means to collect, or attempt to collect, a debt.

COUNT III

20- Plaintiffs incorporate all the allegations and statements made above as if reiterated herein.

21- Defendant violated 15 USC § 1692e(5) by threatening to take action that could not be legally taken at the time.

COUNT IV

22- Plaintiffs incorporate all the allegations and statements made above as if reiterated herein.

23- Defendant violated 15 USC § 1692e(5) by threatening to take action that Defendant did not intend to take at the time.

COUNT V

24- Plaintiffs incorporate all the allegations and statements made above as if reiterated herein.

25- Defendant violated 15 USC § 1692e(11) by failing to disclose that a communication was from a debt collector.

JURY DEMAND

26- Plaintiffs demand a trial by jury.

PRAYER FOR RELIEF

27- Plaintiffs pray for the following relief:

- a. Judgment against Defendant for Plaintiffs; actual damages, as determined at trial, suffered as a direct and proximate result Defendant's violations of the Fair Debt Collection Practices Act, pursuant to 15 U.S.C. §1692k(a)(1);
- b. Judgment against Defendant for \$3,000 in statutory damages (\$1,000 for each Plaintiff) for Defendant's violations of the Fair Debt Collection Practices Act, pursuant to 15 U.S.C. §1692k(a)(2)(A);
- c. Judgment against Defendant for Plaintiffs' reasonable attorneys' fees and costs incurred in this action, pursuant to 15 U.S.C. §1692k(a)(3); and
- d. Any other legal and/or equitable relief as the Court deems appropriate.

RESPECTFULLY SUBMITTED,

Meier LLC

By: /s/ Richard J. Meier

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